

HOUSE BILL 2312

By Griffey

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to the general assembly.

WHEREAS, State assessments reflect the quality of classroom instruction provided to students in Tennessee; and

WHEREAS, members of the General Assembly should have the opportunity to review all State assessment material to evaluate the instruction provided to students; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following as a new section:

(a) An LEA or the department of education shall provide any testing material, proposed testing material, or record relative to assessments that is in the LEA's or department of education's possession to a member of the general assembly upon the member's request to inspect and review the material.

(b) Disclosure under this section must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g); § 10-7-504; the Data Accessibility, Transparency and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

(c) A member of the general assembly who reviews material pursuant to subsection (a) may share information obtained from the material with other members of the general assembly, third-party experts, and public school leaders for the purpose of improving education; provided, however, that the member shall not share the information with a parent of a student enrolled in an LEA or a student enrolled in an LEA.

(d) It is an abuse of a general assembly member's official position to intentionally share information obtained from material reviewed pursuant to subsection (a) with a parent of a student enrolled in an LEA or a student enrolled in an LEA.

(e) The department of education's assessment contractual agreements executed on or after July 1, 2022, must allow for testing material developed pursuant to the assessment contract to be released to members of the general assembly in accordance with this section.

(f) The state board of education shall promulgate rules to protect the integrity of material that is reviewed pursuant to subsection (a). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2022, the public welfare requiring it.